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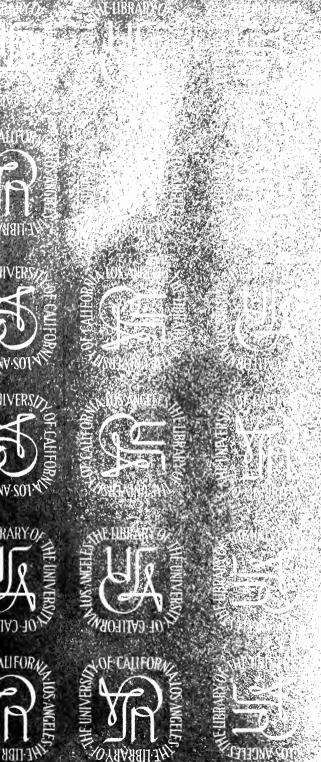


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OF THE

BAR ASSOCIATION

OF-THE

CITY OF NEW-YORK.

NEW-YORK:

GEORGE F. NESBITT & CO, PRINTERS AND STATIONERS,
**CORNER OF PEARL AND PINE STREETS.

1871.







CONSTITUTION

OF THE

BAR ASSOCIATION

OF THE

CITY OF NEW-YORK.

NEW-YORK:

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CONSTITUTION,

(AS ADOPTED FEBRUARY 15, 1870,)

(AMENDED JUNE 14TH, 1870, APRIL 11TH. 1871.)

ARTICLE I.

This Association shall be called "The Bar Association of the City of New York."

ARTICLE IL

The Association is established to maintain the honor and dignity of the profession of the law, to cultivate social intercourse among its members, and to increase its usefulness in promoting the due administration of justice.

ARTICLE III.

SECTION 1. The members of the Bar who signed the preliminary articles are hereby declared to be members of this Association; but such of them as shall omit to subscribe to this Constitution, and pay the admission fee, on or before the 15th day of March next, shall cease to be members, and can only become such by subsequent admission.

Any member of the profession in good standing, residing or practising in the City of New-York, may become a member, by vote of the Association, on recommendation of the Committee on Admissions as hereinafter provided, and on subscribing to this Constitution, and paying the admission fee.

Members of the profession, of the State of New-York, in good standing, neither residing nor practising in the City of New-York, may in like manner become members of this Association, having all the privileges of the same, except that of voting.

SEC. 2. The Committee on Admissions shall have power to make such regulations in relation to proposals for membership and notice thereof, as they may, from time to time, deem needful. Candidates against whom there shall be five negative votes in the Committee shall not be recommended for admission. Upon being recommended, a vote by ballot shall be taken in the Association, and one negative vote in every five shall exclude the candidate.

ARTICLE IV.

OFFICERS.

The Officers of the Association shall be a President, five Vice-Presidents, a Recording Secretary, a Corresponding Secretary and a Treasurer. There shall also be an Executive Committee of fifteen members, of which Committee the President shall, ex officio, be a member; and a Committee on Admissions, to consist of twenty members. These Officers and Committees shall be elected at the Annual Meeting to be held on the second Tuesday of January in each year. The Association may provide by its By-Laws for such other Standing Committees as it may deem necessary.

ARTICLE V.

The Executive Committee shall be vested with the title to all the property of the Association until it may be incorporated, as Trustees thereof, and shall manage its affairs, subject to the Constitution and By-Laws; they shall provide a permanent place for the use of the Association, and shall appropriate such sums as they may deem fit for a Library and Reading Room.

ARTICLE VI.

A Library Committee, to consist of five members, shall be appointed by the Executive Committee, to hold office during their pleasure, and, subject to their directions, shall have charge of the Library and Reading Room, with power to expend upon the same such moneys as may be appropriated by the Executive Committee, or procured by voluntary subscription.

ARTICLE VII.

The Judges of the Courts of the United States, of the Court of Appeals, of the Supreme Court, and of all other Courts of Record of the State of New-York, shall have the use of the Library and Reading Room of this Association, without the payment of fees.

Any member of the Association who may become a member of any Court of Record, shall be, and while he shall hold such office shall continue, an honorary member thereof, and shall be entitled to all its privileges, except that of voting, without payment of dues.

ARTICLE VIII.

MEETINGS OF THE ASSOCIATION.

There shall be an annual meeting of the Association on the second Tuesday of January, and other stated meetings on the second Tuesdays of March, June and November in each year. At these stated meetings, and at any regular adjourned meeting thereof, all the powers of the Association may be exercised. Special meetings may be called at any time by the Executive Committee, and shall be called upon the written request of twenty members.

At such special meetings no business shall be transacted except such as shall be specified in the call thereof. The presence of fifty members, in addition to such members of the Executive Committee as may be present, shall be necessary to constitute a quorum at any meeting of the Association.

ARTICLE IX.

ADMISSION AND ANNUAL FEES.

The admission fee shall in all cases be Fifty Dollars, to be paid on signing the Constitution.

The annual dues shall, in the case of members both residing and practising in the City of New-York, be Forty Dollars, and in the case of members residing elsewhere, but having offices in the City of New-York, Twenty Dollars. Such dues shall be payable half-yearly, on the first days of May and November in each year; and any member in default, after thirty days' notice, shall cease to be a member, unless excused by order of the Executive Committee. Members neither residing nor having offices in the City of New-York shall be exempt from the payment of annual dues.

In case of members belonging to either of the above classes, of less than six years' standing at the Bar, the Executive Committee may, until they shall have attained that standing, give them a credit for one-half their initiation fee, and remit one-half of the annual dues of members who are liable to annual dues.

ARTICLE X.

Any member of the Association may be suspended or expelled for misconduct in his relations to this Association or in his profession, on conviction thereof in such manner as may be prescribed by the By-Laws, and all interest in the property of the Association of persons resigning or otherwise ceasing to be members, shall vest in the Association.

ARTICLE XI.

This Constitution shall go into immediate effect and an election of Officers and Committees, herein provided for shall forthwith be had. They shall hold their offices until their successors are elected at the annual meeting, on the second Tuesday in January, 1871.

ARTICLE XII.

All elections shall be by ballot. The Officers elected shall enter upon their duties immediately upon their elec-

tion, and shall hold office until their successors are elected or appointed.

In case of a vacancy in any office, it shall be filled by appointment of the Executive Committee, until the next annual election.

ARTICLE XIII.

This Constitution may be amended by a two-third vote of the members present at any stated meeting of the Association, provided that notice of the proposed amendment, subscribed by ten members, be given at a previous meeting.

BY-LAWS.

I.

THE PRESIDENT AND VICE-PRESIDENTS.

The President shall preside at all meetings of the Association, and in case of his absence, any one of the Vice-Presidents, who shall be then chosen without ballot, shall preside.

II.

THE RECORDING SECRETARY.

The Recording Secretary shall keep a record of the proceedings of all meetings and of all other matters of which a record shall be deemed advisable by the Association.

He shall notify the Officers and members of their election, and shall keep a roll of the members, and shall issue notices of all meetings.

IIL

THE CORRESPONDING SECRETARY.

The Corresponding Secretary shall conduct the correspondence of the Association, with the concurrence of the President.

IV.

THE TREASURER.

The Treasurer shall collect, and, under the direction of the Executive Committee, disburse, all funds of the Association: he shall report annually, and oftener, if required; he shall keep regular accounts, which shall be, at all times, open to the inspection of any member of the Executive Committee. His accounts shall be audited by a Committee of three members of the Association, to be elected by ballot at the stated meeting preceding the annual meeting in each year.

V.

MEETINGS OF THE EXECUTIVE COMMITTEE.

The Executive Committee shall meet at least once a month, except in July, August and September. They shall have power to make such regulations not inconsistent with the Constitution and By-Laws, as shall be necessary for the protection of the property of the Association, and for the preservation of good order in the conduct of its affairs.

They shall keep a record of their proceedings, which shall be read at the ensuing meeting of the Association; and it shall be their duty to present business for the action of the Association. They shall have no power to make the Association liable for any debts amounting to more than half of the amount in the Treasurer's hands, in cash, and not subject to prior liabilities; nor shall they have power to make any contract binding personally upon members of the Association.

VI.

At each stated meeting of the Association, the order of business shall be as follows:

- 1. Reading of Minutes of preceding meeting.
- 2. Report of Executive Committee.
- 3. Report of the Treasurer.
- 4. Reports of Special Committees.
- 5. Miscellaneous Business.

This order of business may be changed by a vote of the majority of the members present.

The usual parliamentary rules and orders otherwise than are herein provided, shall govern all meetings of the Association.

VII.

If any person elected does not, within one month after notice of his election, signify his acceptance by signing the Constitution and By-Laws, and payment of his admission fee, he shall be deemed to have declined to become a member.

VIII.

In pursuance of Article IV. of the Constitution, there shall be the following Standing Committees:

- a. A Committee on the Amendment of the Law, who shall be charged with the duty of attention to all proposed changes in the law, and of recommending such as in their opinion may be entitled to the favorable influence of this Association.
- b. A Judiciary Committee, who shall be charged with the duty of the observation of the working of our judicial sys-

tem, the collection of information, the entertaining and examination of projects for a change or reform in the system, and of recommending from time to time to the Association such action as they may deem expedient.

c. A Committee on Grievances, who shall be charged with the hearing of all complaints against members of the Association, and also all complaints which may be made in matters affecting the interests of the legal profession, and the practice of the law, and the administration of justice, and to report the same to this Association, with such recommendations as they may deem advisable.

d. A Committee on Legal Education, who shall be charged with the duty of examining and reporting what changes it is expedient to propose in the system of legal education and of admission to the practice of the profession in the State of New-York.

IX.

Each of the Committees named in the foregoing By-Law shall be a Committee of Ten, and shall be appointed annually by the President of the Association, and shall continue in office until the annual meeting of the Association next after their appointment, and until their successors are appointed, with power to fill vacancies and to adopt rules for their own government.

X.

Whenever any complaint shall be preferred against a member of the Association, for misconduct in his relation to this Association or in his profession, the member or members preferring such complaint shall present it to the Committee on Grievances, in writing, and subscribed by him or them, plainly stating the matter complained of, with particulars of time, place and circumstances.

The Committee shall thereupon examine the complaint, and if they are of the opinion that the matters therein alleged are of sufficient importance, shall cause a copy of the complaint, together with a notice of not less than five days of the time and place when the Committee will meet for the consideration thereof, to be served on the member complained of, either personally, or by leaving the same at his place of business during office hours, properly addressed to him. If, after hearing his explanation, the Committee shall deem it proper that there should be a trial of the charge, they shall cause a similar notice of five days of the time and place of trial to be served on the party complained At the time and place appointed, or at such other time as may be granted by the Committee, the member complained of shall file a written answer or defence; or should he fail to do so, the Committee may proceed thereupon to the consideration of the complaint.

The Committee shall thereupon, and at such other times and place as they may adjourn to, proceed to try the said complaint, and shall determine all questions of evidence.

The complainant and the member complained of shall each be allowed to appear personally and by counsel, who must be members of the Association. The witnesses shall vouch for the truth of their statements on their word of honor. The Committee shall have power to summon witnesses, and if members of the Association, a neglect or refusal to appear may be reported to the Association, and treated as misconduct.

The Committee, of whom at least seven must be present at the trial, except that a less number may adjourn from time to time, shall hear and decide the allegations and proofs thus submitted to them; and if they find the complaint, or any part of it to be true, they shall so report to the Association, with their recommendation as to the action to be taken thereon.

The decision of the committee shall be served on the member complained of; and if the decision be that the complaint, or any part thereof is true, and in that case only, the Committee shall also serve a copy of the complaint, answer and decision on the President of the Association; and if requested by either the member or members complaining, or the member complained of, shall annex thereto a copy of the evidence taken, which said documents shall be regarded as a report of the Committee to the Association.

The President shall thereupon call a Special Meeting of the Association, on a notice of not less than ten days, for the consideration of the report, specifying in the call the object thereof; and of which Special Meeting the member complained of shall have due notice.

The Association shall thereupon proceed to take such action on said report as they may see fit, provided only that no member shall be expelled unless by the vote of two-thirds of the members present and voting.

Whenever a trial shall be determined on, the member complained of may object peremptorily to any one or more of the Committee, not exceeding three; and the places of those objected to shall be supplied by the remaining members of the Committee for the purposes of the trial.

All the foregoing proceedings shall be secret, except as their publication is hereinbefore provided for.

XI.

These By-Laws may be amended, at any stated meeting of the Association, by a vote of two-thirds of those present; provided that ten days' notice, in writing, of the proposed amendment has been given to the Executive Committee.

OFFICERS

OF THE

BAR ASSOCIATION

For 1871.

President :

WILLIAM M. EVARTS.

Vice=Presidents :

SAMUEL J. TILDEN, JOHN SLOSSON, JAMES W. GERARD, EDGAR S. VAN WINKLE, WILLIAM E. CURTIS.

Brecutibe Committee :

HENRY NICOLL, WILLIAM C. BARRETT, JAMES EMOTT, STEPHEN P. NASH,

WILLIAM G. CHOATE, AUGUSTUS F. SMITH, FRANCIS C. BARLOW, WILLIAM C. BARRETT, HENRY A. TAILER, E. RANDOLPH ROBINSON, WHEELER H. PECKHAM, ALBERT MATHEWS, JAMES C. CARTER, ALBERT MATHEWS, JOHN E. PARSONS, ABRAHAM R. LAWRENCE, JOHN L. SUTHERLAND.

> Corresponding Secretary : WILLIAM ALLEN BUTLER.

Recording Secretary : AUGUSTUS R. MACDONOUGH.

Treasurer :

ALBON P. MAN.

Library Committee :

JAMES EMOTT, ELDRIDGE T. GERRY,
THEODORE W. DWIGHT,
AARON J. VANDERPOEL.

Committee on Admissions :

HENRY A. CRAM.
CHARLES F. SOUTHMAYD,
JOHN E. BURRILL,
RICHARD H. BOWNE,
HOOPER C. VAN VORST,
JOHN C. DIMMICK,
JOHN M. KNOX,
GROSVENOR P. LOWREY.
CLIFFORD A. HAND,
FREDERICK SMYTH.

JAMES W. GERARD, Jr.,
JOSEPH LAROCQUE,
GEORGE DE FOREST LORD,
CHARLES M. DA COSTA,
EDMUND WETMORE,
BENJAMIN F. DUNNING,
FREDERICK S. TALMADGE,
THOMAS M. NORTH,
ALBERT STICKNEY,
EDWARD MITCHELL.

Standing Committees :

On Amendment of the Law.
CHARLES O'CONOR,
HENRY E. DAVIES,
JOSEPH S. BOSWORTH,
THEODORE W. DWIGHT,
JOHN K. PORTER,
CHARLES TRACY,
JOHN E. BURRILL,
THERON R. STRONG,
CHARLES M. DA COSTA.

On Grievances.

EDGAR S. VAN WINKLE.

THERON R. STRONG,
BENJAMIN K. PHELPS,
WILLIAM W. MACFARLAND,
JOHN M. KNOX,
CLIFFORD A. HAND,
HENRY H. ANDERSON,
JOHN L. CADWALADER,
GEORGE H. FORSTER,
GEORGE D. F. LORD.

On the Judiciary.
WHEELER H. PECKHAM,
NOAH DAVIS,
JOHN SLOSSON,
GILBERT M. SPIER,
JOSHUA M. VAN COTT,
WILLIAM M. PRICHARD,
JAMES C. CARTER,
FRANCIS C. BARLOW,
WILLIAM ALLEN BUTLER,
CHARLES P. CROSBY.

On Legal Education.
THEODORE W. DWIGHT,
EDWIN W. STOUGHTON,
CLARKSON N. POTTER,
CHARLES A. PEABODY,
LUTHER R. MARSH,
AUG. R. MACDONOUGH,
CLARENCE A. SEWARD,
GEORGE C. BARRETT,
HENRY M. ALEXANDER.

Mouse Committee:

AUGUSTUS F. SMITH, JOHN E. PARSONS, HENRY A. TAILER.

LIST OF MEMBERS.

ABBOTT, AUSTIN ADAMS, THATCHER M. ADDOMS, MORTIMER C. ADRIANCE, JOHN ALEXANDER, HENRY M. ALEXANDER, JAMES W. ALEXANDER, THOMAS S. ARNOLD, JOHN H. V. ALLEN, ETHAN ALVORD, A. A. ANDERSON, E. ELLERY ANDERSON, HENRY H.
ANDERSON, HENRY H.
ANDREWS, EDWARD L.
ARNOUX, WILLIAM H.
ARTHUR, CHESTER A.
BALDWIN, GEORGE V. N. BALESTIER, JOSEPH N. BANGS, CHARLES W. BANGS, FRANCIS N. BARGER, SAMUEL F. BARKER, SMITH BARLOW, FRANCIS C. BARLOW, SAMUEL L. M. BARNARD, HORACE BARNEY, HIRAM BARRETT, GEORGE C.
BARRETT, WILLIAM C.
BARTLETT, EDWARD T.
BEACH, WILLIAM A. BEAMAN, CHARLES C. JR. BEARDSLEE, RUFUS G. BEEKMAN, GERARD BEEKMAN, HENRY R. BELKNAP, AARON B. Bell, Joseph BETTS, FREDERICK H. BILLINGS, O. P. C. BIRD, JOHN H. BIRDSEYE, LUCIEN BLACK, CHARLES N. BLAIR, BENJAMIN F. BOARDMAN, ANDREW BOARDMAN, SAMUEL BOLLING, JOHN M. BOORAEM, H. TOLER BOOTH, WILLIAM D. Bosworth, Joseph S. BOWNE, RICHARD H.

BRADY, JAMES M. BRAINERD, CEPHAS BRIGHT, OSBORN E. BRINSMADE, JAMES B. BRONSON, WILLETT BROOKS, JOHN E.
BROWN, AUGUSTUS C.
BROWN, ELIAS G. Brown, Joseph O. Brown, Warren G. BROWNELL, SILAS B. BUCKINGHAM, JOHN M. BUCKLEY, THOMAS C. T. BUEL, OLIVER P. BURRILL, CHARLES D. BURRILL, JOHN E. BUTLER, CHARLES E. BUTLER, WILLAM ALLEN BUTTERWORTH, WILLIAM H. BYRNE, FRANCIS CADWALADER, JOHN L. CAMPBELL, DOUGLAS
CAMPBELL, ROBERT B.
CAMPBELL, THOMAS COOPER
CANDLER, FLAMEN B.
CARTER, JAMES C.
CHAMBERS, WILLIAM P.
CHANDLER, JAMES E.
CHAPMAN, LEBBEUS, JR.
CHITTERDEN S. MILON B. JR.
CHITTERDEN S. SIMEON B. JR. CHITTENDEN, SIMEON B. JR. CHOATE, JOSEPH H. CHOATE, WILLIAM G. CHURCHILL, FRANKLIN H. CLARKE, RICHARD H. CLIFT, SMITH CLINTON, HENRY L. CODDINGTON, HENRY K. COFFIN, EDMUND, JR. COLLES, GEORGE W. COOPER, STEPHEN V. R. COUDERT, CHARLES JR, COUDERT, F. R. COUDERT, L. L. CRAM, HENRY A. CROSBY, CHARLES P. CROSBY, JOHN P. CROWELL, EDWARD B. CUMMINGS, HENRY R.

CURTIS, WILLIAM E. CUTTING, WILLIAM DA COSTA, CHARLES M. DALY, EUGENE F. DALY, JOSEPH F. DAVENPORT, JOHN A. DAVENPORT, JOHN S. JR. DAVIES, HENRY E. DAVIES, JULIEN T. DAVIS, NOAH DAVIS, THEODORE M. DAVISON, CHARLES A. DAY, ALBERT DAY, HENRY DAYTON, ISAAC DELAFIELD, LEWIS L. DE LANCEY, E. F. DE WITT, CORNELIUS J. DE WITT, EDWARD DICKERSON, EDWARD N. DICKINSON, ALFRED DICKINSON, WILLIAM H. DIEFENDORF, MENZO DILLAWAY, GEORGE W. DIMMICK, JOHN C. DIXON, WILLIAM P. DOOLITTLE, EDWIN A. DRAKE, E. G. JR. DUNNING, B. F. DWIGHT, JAMES F. DWIGHT, THEODORE W. EATON, DORMAN B. EDGAR, JONATHAN Edmonds, John W. EDWARDS, WALTER JR. EMMET, RICHARD S. EMOTT, JAMES EVARTS, WILLIAM M. FANCHER, ENOCH L. FEETER, JACOB W. FELLOWS, LOUIS. FELLOWS, RICHARD C. FELT, EDWIN M. FETTRETCH, JOSEPH FIELD, DAVID DUDLEY FIELD, WILLIAM HILDRETH FITCH, JOHN FITHIAN, FREEMAN J. FLANAGAN, JOHN R. FOOT, ROBERT E. FORSTER, GEORGE H. FOSTER, JOHN A. FOSTER, WILLIAM R. JR. FREELAND, HENRY RANKIN FRENCH, ISAAC V. FULLER, PAUL F. GALLATIN, FREDERICK GARRETTSON, FRANCIS T. GARVIN, SAMUEL B.

GERARD, JAMES W. GERARD, JAMES W. JR. GERRY, ELBRIDGE T. GILHOOLY, ANDREW GILLEN, ROBERT GILLENDER. AUG. T. GLASSEY, SAMUEL J. GLOVER, CHARLES H. GLOVER, THOMAS J. GOEPP, MAX GOLDSCHMIDT, GEORGE B. GRAY, JOHN CLINTON GRAY, JOHN F. GRAY, LEVI GREEN, ADOLPHUS W. GREEN, ASHBEL GRIMBALL, JOHN GRISWOLD, BURR W. HALL, DAVID P. JR. HALL, ELIAL F. HALL, THOMAS D. HALSEY, FREDERICK R. HAMERSLEY, J. HOOKER HAMILTON, ALEXANDER, JR. HAMILTON, E. LUTHER HAMMOND, HENRY B. HAND, CLIFFORD A. HARISON, G. D. L. HARISON, RICHARD M. HARNETT, JOHN H. HARRISON, BURTON N. HARTNAGLE, EDWARD HATCH, HIRAM F. HATCH, ROSWELL D. HAWLEY, DAVID HEGEMAN, W. A. OGDEN HENDERSON, ROBERT J. HENRY, CHARLES T. HILTON, HENRY HINSDALE, ELIZUR B. HOES, WILLIAM M. HOLBROOK, WILLIAM C. HOLDEN, DANIEL J. HOLT, GEORGE C. HOPPIN, WILLIAM J. HOPPIN, WILLIAM W. JR. HOWLAND, HENRY E. HOYT, WILLIAM A. HUBBARD, GROSVENOR S. HUBBARD, THOMAS H. HULL, AMOS G. HUNT, CHARLES H. HUTCHINS, WALDO HYSLOP, THOMAS INGERSOLL, CHARLES D. INGERSOLL, THOMAS C. IRWIN, WILLIAM Jackson, C. A. JACKSON, THEO. F.

JARVIS, NATHANIEL, JR. JAY, WILLIAM JELLIFFE, SAMUEL G.
JENNER, WILLIAM A.
JESSUP, JAMES R.
JONES, WALTER R. T.
JOHNSON, HENRY W. JOHNSON, SAMUEL W. KANE, JOHN G. KELLER, CHAS. M. KERNAN, B. P. KERNAN, FRANCIS KERNOCHAN, FRANK E. KERNOCHAN, J. F. KETCHUM, ALEX'R P. Ketchum, Edgar KILBRETH, JAMES T. KING, WILLIAM H. KIRCHEIS, ALEXANDER F. KIRCHEIS, WILLIAM H. KIRKLAND, CHARLES P. KIRKLAND, CHARLES P. JR. Kissam, Benj'n T. KITCHELL, CHARLES H. KITTREDGE, E. C. D. KNEVALS, SHERMAN W. KNOX, JOHN M. LANE SMITH E. LARREMORE, RICHARD L. LATTING, JOHN J. LAWRENCE, ABRAHAM R. JR. LAWRENCE, JOHN S. LAWRENCE, JOSEPH B. LEE, BENJAMIN F. Jr. LEE, WILLIAM P LEVERIDGE, J. W. C. LEYNE, MAURICE LIVINGSTON, CAMBRIDGE LIVINGSTON, WALTER L. LOGAN, EDGAR LORD, DANIEL D LORD, GEORGE DE F. LOWREY, GROSVENOR P. LOWREY, JAMES P. LUMMIS, HENRY M. LYON, SAMUEL E. Macdonough, Aug. R. Macfarland, William W. MAN, ALBON MAN, ALBON P. MAN, FRED. H. MAN, WILLIAM MANICE, WM. DE F. MARBURY, F. F. MARBURY, F. F. JR. MARSH, CHARLES M. MARSH, LUTHER R.

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